



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

July 29, 1998

Mr. Mark E. Dempsey
Assistant City Attorney
City of Garland
P.O. Box 469002
Garland, Texas 75046-9002

OR98-1790

Dear Mr. Dempsey:

You ask whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 117293.

The City of Garland (the "city") received a request for all police reports concerning a certain named individual. You assert that the requested information is excepted from required public disclosure based on section 552.101 of the Government Code in conjunction with the common-law right to privacy. We agree.

The release of a compilation of offense reports in which an individual is listed as the suspect implicates that individual's common-law right to privacy. *See United States Dept. of Justice v. Reporters Comm. For Freedom of the Press*, 489 U.S. 749 (1989), *Houston Chronicle Publishing Co.*, 531 S.W.2d at 179. Accordingly, the city must not release such a compilation. Gov't Code § 552.101 (excepting from required public disclosure information made confidential by law); *see also Industrial Found. of the S. v. Texas Indus. Accident Bd.*, 540 S.W.2d 668 (Tex. 1976), *cert. denied*, 430 U.S. 931 (1977).

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in cursive script, reading "Kay Hastings", is written over the typed name.

Kay Hastings
Assistant Attorney General
Open Records Division

KHH/rho

Ref.: ID# 117293

Enclosures: Submitted documents

cc: Mr. Sam Franklin
1304 Cavalier
Richardson, Texas 75080
(w/o enclosures)